



Request for City Council Committee Action from the City Attorney's Office

Date: January 16, 2014

To: Ways and Means/Budget Committee
Referral to:

Subject: Waiver of Conflict of Interest for legal services contract with the law firm of Maslon Edelman Borman & Brand.

Recommendation: That the City Council waive the conflicts of interest listed below between the City of Minneapolis and clients of the law firm of Maslon Edelman Borman & Brand to allow the City to retain the Maslon Firm to provide legal services in the matter of In re Doug Mann v. Minneapolis City Council, currently pending at the Minnesota Court of Appeals.

Previous Directives:

Prepared by: Susan L. Segal

Phone: (612) 673-3272

Approved by:


Susan L. Segal
City Attorney

Presenters in Committee: Susan L. Segal, City Attorney

Financial Impact

- No financial impact

Community Impact

- Neighborhood Notification
- City Goal(s)

Supporting Information

The Maslon law firm is being retained to represent the City in the matter of In re Doug Mann v. Minneapolis City Council, currently pending at the Minnesota Court of Appeals. In order to retain the firm, it is necessary to grant a conflict of interest waiver to allow the law firm's continued representation of its other clients in existing and/or potential adverse matters. Specifically, the following have been identified as actual or potential adverse matters requiring a waiver from the City:

<u>Client</u>	<u>Type of Matter</u>
Wagner Greenhouses, Inc.	Property Tax Assessment Appeal
Dolphy Tree Removal & James Dolphy	Tree trimming permit litigation
G&G Real Estate, LLC	Construction Easement
URS Corporation	Liability issues relating to Martin Olav Sabo Bridge
K-Mart	Issues relating to Lake and Nicollet K-Mart store

The City Attorney's Office recommends that the City Council waive these conflicts. The representation of the City in the Doug Mann matter is not related to any of the above matters and will be a limited representation while this suit is pending in the appellate courts. In addition, the lawyers and staff from the Maslon law firm involved in the Doug Mann matter will not exchange any privileged information from its representation in this matter with lawyers or staff involved in representing clients in the above conflicting matters. Thus, it is our opinion that the waivers will not harm the City's interests.